



## Pedestrian Laws in Michigan

*Pedestrian laws in Michigan set clear rules for when drivers must yield, how pedestrians may cross, and the safe use of sidewalks and roadways. These laws are important in personal injury cases because both motorists and pedestrians share a duty of care, and fault is often determined by how each followed (or failed to follow) the law. Combined with Michigan's No-Fault insurance system and comparative negligence rules, pedestrian law plays a key role in deciding who is responsible and what compensation may be available after an accident.*

### Your Rights as a Pedestrian

#### Crosswalk Right of Way

- Vehicles must stop and yield to pedestrians within a crosswalk when traffic control signals are in place (**MCL 257.612(1)(a)**)
- Pedestrians must obey traffic control signals (e.g., walk/don't walk) (**MCL 257.613**)
- Where signals are not present, vehicles must yield to pedestrians within a crosswalk on the half of the roadway the vehicle is traveling (**MCL 257.615**)
- Pedestrians cannot suddenly leave a curb and enter the path of a vehicle that is so close it is impossible for the driver to yield (**MCL 257.613(2)**)

#### Crossing Outside a Crosswalk

- Pedestrians crossing outside marked crosswalks must yield the right of way to all vehicles (**MCL 257.655**)
- Pedestrians cannot cross diagonally unless authorized by traffic control devices (**MCL 257.656**)

#### Use of Roadways & Sidewalks

- Where sidewalks are provided, pedestrians must use them, not the roadway (**MCL 257.655(1)**)
- If no sidewalk is available, pedestrians should walk on the left side of the roadway or the shoulder facing traffic (**MCL 257.655(2)**)

#### Driver Duties Toward Pedestrians

- Drivers must exercise due care and caution to avoid colliding with pedestrians (**MCL 257.601(a)**)
- Drivers must give warning by sounding the horn when necessary and exercise proper precaution upon observing a child or incapacitated person on the roadway (**MCL 257.601(b)**)

**Disclaimer:** *The outcome of a particular matter can depend on a variety of factors—including the specific factual and legal circumstance that may come to light during initial investigation.*

## Children & Pedestrian Accidents

Michigan courts recognize that young children can't always be expected to follow the same level of caution as adults. Drivers are expected to use extra care in areas where children are likely to be present, such as neighborhoods, schools, and parks.

### Key Takeaways

- Michigan law requires drivers to yield to pedestrians in crosswalks and exercise due care
- Pedestrians must use sidewalks when available, and if not, walk on the left side of the road facing traffic
- Pedestrians must yield when crossing outside of a sidewalk
- Michigan's modified comparative negligence rule applies, so the conduct of both pedestrians and drivers matters

### Comparative or Contributory Negligence

In many states, a plaintiff's own actions are considered. If the injured person was partly at fault (distracted by a phone, ignoring a warning sign), damages may be reduced.

Michigan follows a comparative negligence rule. If the injured person is **50% or less at fault**, they can still recover damages, but their compensation is **reduced by their percentage of fault**. If the plaintiff is found more than **50% at fault**, they are **barred from recovering non-economic damages** (such as pain and suffering), but may still recover **economic damages** (such as medical bills and lost wages) but these are also reduced by their percentage of fault. Read more: **MCL 600.2959**

The system reflects Michigan's policy that people shouldn't be rewarded for being primarily responsible for their own injuries, but they also shouldn't lose out entirely if they were only partly at fault.

#### Notes:

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